

**32B-8-101. Title.**

This chapter is known as the "Resort License Act."

Enacted by Chapter 276, 2010 General Session

**32B-8-102. Definitions.**

As used in this chapter:

(1) "Boundary of a resort building" means the physical boundary of the land reasonably related to a resort building and any structure or improvement to that land as determined by the commission.

(2) "Dwelling" means a portion of a resort building:

(a) owned by one or more individuals;

(b) that is used or designated for use as a residence by one or more persons;  
and

(c) that may be rented, loaned, leased, or hired out for a period of no longer than 30 consecutive days by a person who uses it for a residence.

(3) "Engaged in the management of the resort" may be defined by the commission by rule.

(4) "Invitee" means an individual who in accordance with Subsection 32B-8-304(12) is authorized to use a resort spa by a host who is:

(a) a resident; or

(b) a public customer.

(5) "Provisions applicable to a sublicense" means:

(a) for a full-service restaurant sublicense, Chapter 6, Part 2, Full-service Restaurant License;

(b) for a limited-service restaurant sublicense, Chapter 6, Part 3, Limited-service Restaurant License;

(c) for a club sublicense, Chapter 6, Part 4, Club License;

(d) for an on-premise banquet sublicense, Chapter 6, Part 6, On-premise Banquet License;

(e) for an on-premise beer retailer sublicense, Chapter 6, Part 7, On-premise Beer Retailer License; and

(f) for a resort spa sublicense, Part 3, Resort Spa Sublicense.

(6) "Public customer" means an individual who holds a customer card in accordance with Subsection 32B-8-304(13).

(7) "Resident" means an individual who:

(a) owns a dwelling located within a resort building; or

(b) rents lodging accommodations for 30 consecutive days or less from:

(i) an owner of a dwelling described in Subsection (7)(a); or

(ii) the resort licensee.

(8) "Resort" means a location:

(a) on which is located one resort building; and

(b) that is affiliated with a ski area that physically touches the boundary of the resort building.

(9) "Resort building" means a building:

(a) that is primarily operated to provide dwellings or lodging accommodations;

(b) that has at least 150 units that consist of a dwelling or lodging accommodations;  
(c) that consists of at least 400,000 square feet:  
(i) including only the building itself; and  
(ii) not including areas such as above ground surface parking; and  
(d) of which at least 50% of the units described in Subsection (9)(b) consist of dwellings owned by a person other than the resort licensee.

(10) "Resort spa" means a spa, as defined by rule by the commission, that is within the boundary of a resort building.

(11) "Sublicense" means:

- (a) a full-service restaurant sublicense;
- (b) a limited-service restaurant sublicense;
- (c) a club sublicense;
- (d) an on-premise banquet sublicense;
- (e) an on-premise beer retailer sublicense; and
- (f) a resort spa sublicense.

(12) "Sublicense premises" means a building, enclosure, or room used pursuant to a sublicense in connection with the storage, sale, furnishing, or consumption of an alcoholic product, unless otherwise defined in this title or in the rules made by the commission.

Enacted by Chapter 276, 2010 General Session

**32B-8-201. Commission's power to issue a resort license.**

(1) Before a person as a resort may store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on sublicense premises, the person shall first obtain a resort license from the commission in accordance with this part.

(2) (a) The commission may issue to a person a resort license to allow the storage, sale, offer for sale, furnishing, and consumption of an alcoholic product in connection with a resort designated in the resort license if the person operates at least four sublicenses under the resort license.

(b) A resort license shall:

- (i) consist of:
  - (A) a general resort license; and
  - (B) the four or more sublicenses; and
- (ii) designate the boundary of the resort building.

(c) This chapter does not prohibit an alcoholic product on the boundary of the resort building to the extent otherwise permitted by this title.

(d) The commission may not issue a sublicense that is separate from a resort license.

(3) (a) The commission may not issue a total number of resort licenses that at any time totals more than four.

(b) Subject to Subsection (3)(c), when determining the total number of licenses the commission has issued for each type of retail license, the commission may not include a sublicense as one of the retail licenses issued under the provisions applicable to the sublicense.

(c) If a resort license issued under this chapter includes a sublicense that before the issuance of the resort license was a retail licensee under this chapter, the commission shall include the sublicense as one of the retail licenses issued under the provisions applicable to the sublicense in determining if the total number of licenses issued under the provisions applicable to the sublicense exceeds the number calculated by dividing the population of the state by the number specified in the provisions applicable to the sublicense.

Enacted by Chapter 276, 2010 General Session

**32B-8-202. Specific licensing requirements for resort license.**

(1) To obtain a resort license, in addition to complying with Chapter 5, Part 2, Retail Licensing Process, a person shall submit with the written application:

(a) the current business license for each sublicense, if the business license is separate from the person's business license;

(b) evidence:

(i) of proximity of the resort building to any community location, with proximity requirements being governed by Section 32B-1-202;

(ii) that each of the four or more sublicense premises is entirely within the boundaries of the resort building; and

(iii) that the building designated in the application as the resort building qualifies as a resort building;

(c) a description and boundary map of the resort building;

(d) a description, floor plan, and boundary map of each sublicense premises designating:

(i) any location at which the person proposes that an alcoholic product be stored; and

(ii) a designated location on the sublicense premises from which the person proposes that an alcoholic product be sold, furnished, or consumed;

(e) evidence that the resort license person carries dramshop insurance coverage equal to the sum of at least \$1,000,000 per occurrence and \$2,000,000 in the aggregate to cover both the general resort license and each sublicense; and

(f) a signed consent form stating that the person will permit any authorized representative of the commission, department, or any law enforcement officer to have unrestricted right to enter the boundary of the resort building and each sublicense premises.

(2) (a) A resort license expires on October 31 of each year.

(b) To renew a person's resort license, the person shall comply with the requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than September 30.

(3) (a) The nonrefundable application fee for a resort license is \$300.

(b) The initial license fee for a resort license is calculated as follows:

(i) \$10,000 if four sublicenses are being applied for under the resort license; or

(ii) if more than four sublicenses are being applied for under the resort license, the sum of:

(A) \$10,000; and

(B) \$2,000 for each sublicense in excess of four sublicenses for which the person is applying.

(c) The renewal fee for a resort license is \$1,000 for each sublicense under the resort license.

(4) (a) The bond amount required for a resort license is the penal sum of \$25,000.

(b) A resort licensee is not required to have a separate bond for each sublicense, except that the aggregate of the bonds posted by the resort licensee shall cover each sublicense under the resort license.

(5) The commission may not issue a resort license for a resort building that does not meet the proximity requirements of Section 32B-1-202.

Amended by Chapter 334, 2011 General Session

**32B-8-203. Specific qualifications for resort license.**

(1) For purposes of this chapter, the commission shall apply:

(a) Subsection 32B-1-304(1)(a) to a partnership, corporation, or limited liability company, only if an individual listed in Subsection 32B-1-304(1)(b) will engage in the management of the resort; and

(b) Subsection 32B-1-304(1)(c) to an individual who is employed to act in a supervisory or managerial capacity for the resort licensee or in relation to a sublicense.

(2) The following are subject to Section 32B-8-501:

(a) an action of the commission under Subsection 32B-1-304(2);

(b) an action of the director under Subsection 32B-1-304(3); and

(c) termination of a resort license under Subsection 32B-1-304(6).

(3) (a) A person employed to act in a supervisory or managerial capacity for a sublicense is subject to the qualification requirements in the provisions applicable to the sublicense.

(b) If a person described under Subsection (3)(a) no longer possesses the qualifications required by this Subsection (3), the commission may suspend or revoke the sublicense that is part of the resort license.

Enacted by Chapter 276, 2010 General Session

**32B-8-204. Commission and department duties before issuing resort license.**

(1) Before the issuance of a resort license, the department shall comply with the requirements of Subsection 32B-5-203(1) in relation to the resort license and each sublicense.

(2) Before issuing a resort license, in addition to considering the factors described in Section 32B-8-202, the commission shall:

(a) consider the resort license person's ability to manage and operate a resort license and the ability of any individual who will act in a supervisory or managerial capacity for a sublicense, including:

(i) past management experience;

(ii) past alcoholic product license experience; and

- (iii) the type of management scheme to be used by the resort license person;
  - (b) consider the nature or type of:
    - (i) the person's business operation of the resort license; and
    - (ii) the business operation of each sublicense; and
  - (c) subject to Subsection (3), determine that each sublicense meets the requirements imposed under the provisions applicable to each sublicense.
- (3) (a) Subject to Subsection (3)(b), notwithstanding the requirements to obtain a retail license under the provisions applicable to a sublicense, a sublicense of a resort license is not subject to:
- (i) a requirement to submit an application or renewal application that is separate from the resort license application;
  - (ii) a requirement to carry public liability insurance or dramshop insurance coverage that is separate from that carried by the resort licensee; or
  - (iii) a requirement to post a bond that is separate from the bond posted by the resort licensee.
- (b) If a resort licensee seeks to add a sublicense after its resort license is issued, the resort licensee shall file with the department:
- (i) a nonrefundable \$300 application fee;
  - (ii) an initial license fee of \$2,250, which is refundable if the sublicense is not issued;
  - (iii) written consent of the local authority;
  - (iv) a copy of:
    - (A) the resort licensee's current business license; and
    - (B) the current business license for the sublicense, if the business licensee is separate from the resort licensee's business license;
  - (v) evidence that the sublicense premises is entirely within the boundary of the resort building;
  - (vi) a description, floor plan, and boundary map of the sublicense premises designating:
    - (A) any location at which the person proposes that an alcoholic product be stored; and
    - (B) any designated location on the sublicense premises from which the person proposes that an alcoholic product be sold, furnished, or consumed;
  - (vii) evidence that the person carries public liability insurance in an amount and form satisfactory to the department;
  - (viii) evidence that the person carries dramshop insurance coverage in the amount required by Section 32B-8-202 that covers the sublicense to be added;
  - (ix) a signed consent form stating that the resort licensee will permit any authorized representative of the commission, department, or any law enforcement officer to have unrestricted right to enter the sublicense premises;
  - (x) if the resort licensee is an entity, proper verification evidencing that a person who signs the application is authorized to sign on behalf of the entity; and
  - (xi) any other information the commission or department may require.

Amended by Chapter 334, 2011 General Session

**32B-8-301. Commission's power to issue resort spa sublicense.**

(1) Before a person may store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on its premises as a resort spa sublicensee, a resort licensee or a person applying for a resort license shall first obtain a resort spa sublicense from the commission in accordance with this part.

(2) The commission may issue a resort spa sublicense to establish a resort spa license within the boundary of a resort building for the storage, sale, offer for sale, furnishing, and consumption of liquor on premises operated as a resort spa.

(3) The resort spa sublicense premises shall fall entirely within the boundary of a resort building.

Enacted by Chapter 276, 2010 General Session

**32B-8-302. Specific licensing requirements for resort spa sublicense.**

(1) A person may not file a written application with the department to obtain a resort spa sublicense that is separate from the application of the resort license, unless the resort spa sublicense is being sought after the issuing of a resort license.

(2) If a resort licensee seeks to add a resort spa sublicense after its resort license is issued, the resort licensee shall comply with Subsection 32B-8-204(3)(b).

(3) (a) A resort spa sublicense expires on October 31 of each year.

(b) A resort licensee desiring to renew the resort licensee's resort spa sublicense shall renew the resort spa sublicense as part of renewing the resort license.

(c) Failure to meet the renewal requirements for a resort license results in an automatic forfeiture of the resort spa sublicense effective on the date the resort license expires.

Enacted by Chapter 276, 2010 General Session

**32B-8-303. Specific qualifications for resort spa sublicense.**

(1) A person employed to act in a supervisory or managerial capacity for the resort spa sublicense is subject to qualification requirements of Section 32B-8-203.

(2) If a person no longer possesses the qualifications required by Section 32B-8-203 for obtaining the resort license or resort spa sublicense, the commission may suspend or revoke the resort spa sublicense that is part of the resort license.

Enacted by Chapter 276, 2010 General Session

**32B-8-304. Specific operational requirements for resort spa sublicense.**

(1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational Requirements, a resort licensee, staff of the resort licensee, or a person otherwise related to a resort spa sublicense shall comply with this section.

(b) Subject to Section 32B-8-502, failure to comply as provided in Subsection (1)(a) may result in disciplinary action in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

(i) a retail licensee;

(ii) staff of the retail licensee;

- (iii) a person otherwise related to a resort spa sublicense; or
- (iv) any combination of the persons listed in this Subsection (1)(b).

(2) (a) For purposes of the resort spa sublicense, the resort licensee shall ensure that a record required by this title is maintained, and a record is maintained or used for the resort spa sublicense:

- (i) as the department requires; and
- (ii) for a minimum period of three years.

(b) A record is subject to inspection by an authorized representative of the commission and the department.

(c) A resort licensee shall allow the department, through an auditor or examiner of the department, to audit the records for a resort spa sublicense at the times the department considers advisable.

(d) The department shall audit the records for a resort spa sublicense at least once annually.

(e) Section 32B-1-205 applies to a record required to be made, maintained, or used in accordance with this Subsection (2).

(3) (a) A person operating under a resort spa sublicense may not sell, offer for sale, or furnish liquor at a resort spa during a period that:

- (i) begins at 1 a.m.; and
- (ii) ends at 9:59 a.m.

(b) A person operating under a resort spa sublicense may sell, offer for sale, or furnish beer during the hours specified in Chapter 6, Part 7, On-premise Beer Retailer License, for an on-premise beer retailer.

(c) (i) Notwithstanding Subsections (3)(a) and (b), a resort spa shall remain open for one hour after the resort spa ceases the sale and furnishing of an alcoholic product during which time a person at the resort spa may finish consuming:

- (A) a single drink containing spirituous liquor;
- (B) a single serving of wine not exceeding five ounces;
- (C) a single serving of heavy beer;
- (D) a single serving of beer not exceeding 26 ounces; or
- (E) a single serving of a flavored malt beverage.

(ii) A resort spa is not required to remain open:

- (A) after all persons have vacated the resort spa sublicense premises; or
- (B) during an emergency.

(4) A minor may not be admitted into, use, or be on:

(a) the sublicense premises of a resort spa unless accompanied by a person 21 years of age or older; or

(b) a lounge or bar area of the resort spa sublicense premises.

(5) A resort spa shall have food available at all times when an alcoholic product is sold, offered for sale, furnished, or consumed on the resort spa sublicense premises.

(6) (a) Subject to the other provisions of this Subsection (6), a patron may not have more than two alcoholic products of any kind at a time before the patron.

(b) A resort spa patron may not have two spirituous liquor drinks before the resort spa patron if one of the spirituous liquor drinks consists only of the primary spirituous liquor for the other spirituous liquor drink.

(c) An individual portion of wine is considered to be one alcoholic product under

this Subsection (6).

(7) (a) An alcoholic product may only be consumed at a table or counter.

(b) An alcoholic product may not be served to or consumed by a patron at a bar.

(8) (a) A person operating under a resort spa sublicense shall have available on the resort spa sublicense premises for a patron to review at the time that the patron requests it, a written alcoholic product price list or a menu containing the price of an alcoholic product sold or furnished by the resort spa including:

(i) a set-up charge;

(ii) a service charge; or

(iii) a chilling fee.

(b) A charge or fee made in connection with the sale, service, or consumption of liquor may be stated in food or alcoholic product menus including:

(i) a set-up charge;

(ii) a service charge; or

(iii) a chilling fee.

(9) (a) A resort licensee shall own or lease premises suitable for the resort spa's activities.

(b) A resort licensee may not maintain premises in a manner that barricades or conceals the resort spa sublicense's operation.

(10) Subject to the other provisions of this section, a person operating under a resort spa sublicense may not sell an alcoholic product to or allow a person to be admitted to or use the resort spa sublicense premises other than:

(a) a resident;

(b) a public customer who holds a valid customer card issued under Subsection (12); or

(c) an invitee.

(11) A person operating under a resort spa sublicense may allow an individual to be admitted to or use the resort spa sublicense premises as an invitee subject to the following conditions:

(a) the individual shall be previously authorized by one of the following who agrees to host the individual as an invitee into the resort spa:

(i) a resident; or

(ii) a public customer as described in Subsection (10);

(b) the individual has only those privileges derived from the individual's host for the duration of the invitee's visit to the resort spa; and

(c) a resort licensee, resort spa, or staff of the resort licensee or resort spa may not enter into an agreement or arrangement with a resident or public customer to indiscriminately host a member of the general public into the resort spa as an invitee.

(12) A person operating under a resort spa sublicense may issue a customer card to allow an individual to enter and use the resort spa sublicense premises on a temporary basis under the following conditions:

(a) the resort spa may not issue a customer card for a time period that exceeds three weeks;

(b) the resort spa shall assess a fee to a public customer for a customer card;

(c) the resort spa may not issue a customer card to a minor; and

(d) a public customer may not host more than seven invitees at one time.



Amended by Chapter 297, 2011 General Session  
Amended by Chapter 334, 2011 General Session

**32B-8-401. Specific operational requirements for resort license.**

(1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational Requirements, a resort licensee, staff of the resort licensee, and a person otherwise operating under a sublicense shall comply with this section.

(b) Subject to Section 32B-8-502, failure to comply as provided in Subsection (1)(a) may result in disciplinary action in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

- (i) a resort licensee;
- (ii) individual staff of a resort licensee;
- (iii) a person otherwise operating under a sublicense;
- (iv) individual staff of a person otherwise operating under a sublicense; or
- (v) any combination of the persons listed in this Subsection (1)(b).

(2) (a) A resort licensee may not sell, offer for sale, or furnish an alcoholic product except:

- (i) on a sublicense premises;
- (ii) pursuant to a permit issued under this title; or
- (iii) under a package agency agreement with the department, subject to Chapter 2, Part 6, Package Agency.

(b) A resort licensee who sells, offers for sale, or furnishes an alcoholic product as provided in Subsection (2)(a), shall sell, offer for sale, or furnish the alcoholic product:

(i) if on a sublicense premises, in accordance with the operational requirements under the provisions applicable to the sublicense, except as provided in Section 32B-8-402;

(ii) if under a permit issued under this title, in accordance with the operational requirements under the provisions applicable to the permit; and

(iii) if as a package agency, in accordance with the contract with the department and Chapter 2, Part 6, Package Agency.

(3) A resort licensee shall comply with Subsections 32B-5-301(4) and (5) within the boundary of the resort building.

(4) A resort licensee shall operate in a manner so that at least 70% of the annual aggregate of the gross receipts related to the sale of food or beverages for the resort license and each of its sublicenses is from the sale of food, not including:

- (a) mix for an alcoholic product; and
- (b) a charge in connection with the service of an alcoholic product.

(5) (a) A resort licensee shall supervise and direct a person involved in the sale, offer for sale, or furnishing of an alcoholic product under a resort license.

(b) A person involved in the sale, offer for sale, or furnishing of an alcoholic product under a resort license shall complete the alcohol training and education seminar.

(6) (a) Room service of an alcoholic product to a lodging accommodation of a resort licensee shall be provided in person by staff of a resort licensee only to an adult

occupant in the lodging accommodation.

(b) An alcoholic product may not be left outside a lodging accommodation for retrieval by an occupant.

Amended by Chapter 307, 2011 General Session

Amended by Chapter 334, 2011 General Session

**32B-8-402. Specific operational requirements for a sublicense.**

(1) A person operating under a sublicense is subject to the operational requirements under the provisions applicable to the sublicense except that:

(a) notwithstanding a requirement in the provisions applicable to the sublicense, a person operating under the sublicense is not subject to a requirement that a certain percentage of the gross receipts for the sublicense be from the sale of food, except to the extent that the gross receipts for the sublicense are included in calculating the percentages under Subsection 32B-8-401(4); and

(b) notwithstanding Section 32B-6-202 or 32B-6-302, a bar structure in a licensed premises operated under a full-service restaurant sublicense or limited-service restaurant sublicense is considered a grandfathered bar structure if the resort license that includes the full-service restaurant sublicense or limited-service restaurant sublicense is issued by no later than December 31, 2010.

(2) Subject to Section 32B-8-502, for purposes of interpreting an operational requirement imposed by the provisions applicable to a sublicense:

(a) a requirement imposed on a person operating under a sublicense applies to the resort licensee; and

(b) a requirement imposed on staff of a person operating under a sublicense applies to staff of the resort licensee.

Amended by Chapter 334, 2011 General Session

**32B-8-501. Enforcement of qualifications for resort license or sublicense.**

(1) The commission or department may not take an action described in Subsection (2) with regard to a resort license unless the person who is found not to meet the qualifications of Section 32B-8-203 is one of the following who is engaged in the management of the resort:

(a) a partner;

(b) a managing agent;

(c) a manager;

(d) an officer;

(e) a director;

(f) a stockholder who holds at least 20% of the total issued and outstanding stock of the corporation;

(g) a member who owns at least 20% of the limited liability company; or

(h) a person employed to act in a supervisory or managerial capacity for the resort licensee.

(2) Subsection (1) applies to:

(a) the commission immediately suspending or revoking a resort license, if after

the day on which the resort license is issued, a person described in Subsection 32B-8-203(1):

- (i) is found to have been convicted of an offense described in Subsection 32B-1-304(1)(a) before the resort license is issued; or
- (ii) on or after the day on which the resort license is issued:
  - (A) is convicted of an offense described in Subsection 32B-1-304(1)(a)(i), (ii), or (iii); or

- (B) (I) is convicted of driving under the influence of alcohol, a drug, or the combined influence of alcohol and a drug; and

- (II) was convicted of driving under the influence of alcohol, a drug, or the combined influence of alcohol and a drug within five years before the day on which the person is convicted of the offense described in Subsection (2)(b)(ii)(A);

- (b) the director taking an emergency action by immediately suspending the operation of a resort license in accordance with Title 63G, Chapter 4, Administrative Procedures Act, for the period during which the criminal matter is being adjudicated if a person described in Subsection 32B-8-203(1):

- (i) is arrested on a charge for an offense described in Subsection 32B-1-304(1)(a)(i), (ii), or (iii); or

- (ii) (A) is arrested on a charge for the offense of driving under the influence of alcohol, a drug, or the combined influence of alcohol and a drug; and

- (B) was convicted of driving under the influence of alcohol, a drug, or the combined influence of alcohol and a drug within five years before the day on which the person is arrested on a charge described in Subsection (2)(b)(ii)(A); and

- (c) the commission suspending or revoking a resort license because a person to whom a resort license is issued under this chapter no longer possesses the qualifications required by this title for obtaining the resort license.

(3) This section does not prevent the commission from suspending or revoking a sublicense that is part of a resort license if a person employed to act in a supervisory or managerial capacity for a sublicense no longer meets the qualification requirements in the provisions applicable to the sublicense.

Enacted by Chapter 276, 2010 General Session

**32B-8-502. Enforcement of operational requirements for resort license or sublicense.**

(1) (a) Except as provided in Subsection (2) and in addition to Subsection (3), failure by a person described in Subsection (1)(b) to comply with this chapter or an operational requirement under a provision applicable to a sublicense may result in disciplinary action in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

- (i) a resort licensee;
  - (ii) individual staff of a resort licensee;
  - (iii) a person otherwise operating under a sublicense;
  - (iv) individual staff of a person otherwise operating under a sublicense; or
  - (v) any combination of the persons listed in this Subsection (1)(a).
- (b) This Subsection (1) applies to:

- (i) a resort licensee;
- (ii) a person operating under a sublicense; or
- (iii) staff of a resort licensee or other person operating under a sublicense.

(2) (a) Notwithstanding the other provisions of this title, if the failure to comply with this chapter described in Subsection (1) relates to a sale, offer for sale, or furnishing of an alcoholic product on a sublicense premises, a resort licensee or an individual member of the resort licensee's management personnel is subject to a sanction described in Subsection (1), only if the commission finds that:

(i) during the three years before the day on which the commission makes the finding, there are three or more disciplinary proceedings against any person operating under a sublicense of the resort licensee for failure to comply with an operational requirement applicable to the sublicense; and

(ii) the resort licensee has not taken reasonable steps to prevent persons operating under a sublicense of the resort licensee from failing to comply with operational requirements applicable to the sublicense.

(b) This Subsection (2) applies if the three or more disciplinary proceedings described in Subsection (2)(a) are against:

- (i) the same person operating under a sublicense of the resort licensee; or
- (ii) two or more different persons operating under a sublicense of the resort licensee.

(3) An operational requirement applicable to a person operating under a sublicense is enforced as provided by the provisions applicable to the sublicense.

Enacted by Chapter 276, 2010 General Session

**32B-8-503. Enforcement of Nuisance Retail Licensee Act.**

Chapter 3, Part 3, Nuisance Retail Licensee Act, applies to a resort license only if three or more of the sublicenses of the resort license have not been renewed in accordance with Chapter 3, Part 3, Nuisance Retail Licensee Act, within three years from the day on which a resort licensee applies for the renewal of its resort license.

Enacted by Chapter 276, 2010 General Session